

2022 Regular Session

HOUSE BILL NO. 200

BY REPRESENTATIVE BROWN

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 833(B) and (C)(introductory
3 paragraph), relative to the presence of the defendant; to provide relative to the
4 presence of the defendant in misdemeanor prosecutions; to require the court to allow
5 a plea of not guilty by the filing of a sworn affidavit in advance of the scheduled
6 arraignment date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Criminal Procedure Article 833(B) and (C)(introductory
9 paragraph) are hereby amended and reenacted to read as follows:

10 Art. 833. Presence of defendant; misdemeanor prosecution

11 * * *

12 B.(1) A plea of not guilty of a misdemeanor ~~shall~~ may be allowed to be
13 entered through counsel of record.

14 (2) and in A plea of not guilty of a misdemeanor shall be allowed to be
15 entered through counsel of record in the absence of the defendant by the filing of a
16 sworn affidavit in advance of the scheduled arraignment date.

17 C. The sworn affidavit referenced in ~~Paragraph B~~ Subparagraph (B)(2) of
18 this Article shall include the caption of the case and summons number, citation
19 number or docket number as applicable, and state as follows:

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____